

%LAO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

United States of America

v.

Rayshawn Caldwell

Date of Previous Judgment: December 20, 2006
(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No; 1:06CR004

) USM No; 30428-160

) FPD NDO

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 57 months is reduced to 46 months

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 22Amended Offense Level: 20Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 51 to 63 monthsAmended Guideline Range: 41 to 51 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range,

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 12/20/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 07/01/2008Effective Date: _____
(if different from order date)

Christopher A. Boyko

Judge's signature

CHRISTOPHER A. BOYKO

Printed name and title

U.S. DISTRICT JUDGE

FILED

JUL 1 2008

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND